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40 High House Drive  
Lickey  
Birmingham  
B45 8ET  
United Kingdom

13 December, 2006

Commissioner for Patents  
Office of Petitions  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

**Petition to Withdraw Holding of Abandonment Based on Evidence  
that a Reply was Timely Mailed**

**Application No. 10/521,307**

Dear Sir/Madam

A Notice of Abandonment, mailed on 11/15/2006, from Scott Kastler, Primary Examiner, Art Unit: 1742 stating that no reply had been received to the Office letter mailed 24 April 2006, came as a complete surprise to me, as I mistakenly thought that the lack of any response to my mailed reply was because of delays in the examining procedures and that I would be advised of the outcome in due course.

On 27 November 2006 I contacted Mr Kastler by e-mail and as an attachment gave him copies of the correspondence, which apparently was not received. More recently he has suggested that I telephone the Office of Petitions, which I have just done. They advised me to submit a letter headed Petition to Withdraw Holding of Abandonment. This is now the substance of this communication.

I submit:

1. photocopy of the Airtsure (Royal Mail) receipt No. LY 2252 3536 0GB post marked with a date stamp 3 May, Lickey, Rednal, Birmingham.
2. photocopy of a receipt from the local post office at Lickey for the sum of £5.71 for the Airtsure service, dated 03/05/2006, i.e. 3 May 2006 as expressed in the U.K.
3. the printoff on the Royal Mail website stating

“Your item reference LY225235360GB was delivered in the United States of America before 0.8:01 on 09/05/06” (i.e. 9 May 2006 delivery date to USPTO)

I trust the information I have supplied is accepted as evidence that a reply was timely mailed. Please let me know if you require any further information.

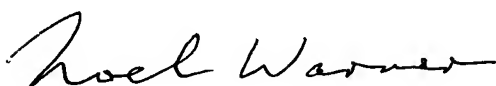
**Application No. 10/521,307**

I am sending this Petition by Airsure, Royal Mail, and would very much appreciate confirmation of its receipt at the Office of Petitions, in view of the difficulties already experience in delivery of mail from the U.K.

I can be contacted by e-mail: [warnerna@btopenworld.com](mailto:warnerna@btopenworld.com)

or telephone number (0) 121 445 6264.

Yours sincerely

A handwritten signature in black ink, appearing to read "Noel Warner". The signature is fluid and cursive, with the first name "Noel" and the last name "Warner" clearly distinguishable.

Noel A. Warner  
Emeritus Professor

Encs.

Application  
No. 10/521,307

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Alexandria VA 22313  
1450*

Postcode *1450*

Country *USA*

Reference *LY 2252 3538 068*

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LY225235360GB

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